## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF VIRGINIA ABINGDON DIVISION

LEONARD O. POWERS,	)	
Plaintiff	)	
	)	
v.	)	<u>ORDER</u>
	)	Case No. 1:09cv00055
<b>EQUITABLE PRODUCTION</b>	)	
COMPANY, etc.	)	
Defendant	)	

This case is currently before the court on the defendant's motion to dismiss, (Docket Item No. 7). This case was referred, pursuant to 28 U.S.C. § 636(b)(1)(B), to the Honorable Pamela Meade Sargent, United States Magistrate Judge. On October 8, 2009, the Magistrate Judge entered a report and recommendation, (Docket Item No. 16), ("the Report"), recommending the motion to dismiss be denied. Objections to the Report were timely filed, (Docket Item No. 17), ("Objections"). However, the objections did not comply with the Federal Rules of Civil Procedure, as Rule 72(b)(2) requires the objecting party to "file specific written objections to the proposed findings and recommendations." A review of the objections in this case shows that the defendant did not comply with the specificity requirement.

Accordingly, the Objections are **OVERRULED**. Furthermore, the Magistrate Judge's Report and Recommendation is adopted and the defendant's motion to dismiss is hereby **DENIED** for the reasons set forth in the Magistrate Judges Report and Recommendation.

The Clerk is hereby directed to enter this Order and send copies of this Order to

all counsel of record.

Enter: this 12<sup>th</sup> day of November, 2009.

/s/ Glen M. Williams

SENIOR UNITED STATES DISTRICT JUDGE